

NEW LAW BOOKS.

HINTS TO LAYMEN.

TACT IN COURT. By J. W. DONOVAN. 12mo. Boston: T. C. Williams' Law Book Company. RIGHTS, REMEDIES AND PRACTICE AT LAW, IN EQUITY AND UNDER THE CODES. By John D. LAWSON. 7 vols. \$20. San Francisco: Bancroft-Whitney Company.

The primary purpose of Mr. Donovan's little book and of kindred works of the same author has apparently been to kindle in the minds of lawyers and particularly young lawyers or law students an enthusiasm for the work of the legal advocate, and to aid him in acquiring skill and proficiency therein, by pointing out the methods and guiding principles of the great leaders of the profession. To a considerable extent it is certainly true that the author has been successful, and particularly so if success is in any degree, in such matters, to be gauged by the number of copies sold and read. Mr. Donovan has the art of putting together in an exceedingly attractive form the stories of successful legal strategy, as well as the rules of forensic conduct, which it is claimed are certain guides to success. Without disparagement, however, to the many excellent qualities of the book, there are several criticisms that should be made. The chief one is that, either consciously or unconsciously, the author has allowed the sentiment to pervade the book that "success" in the particular case in hand, must be the one controlling purpose, paramount even to the question of the means by which that success is attained.

For instance, this appeal of a Western counsel to a jury in a criminal case is quoted with all the emphasis of italics and small capitals: "Of all things to a jury, the first and middle and last consideration is the consequences of their verdict." And the author shows by the context that his approval of the sentiment is founded on the worst construction of these words, namely, that the jury ought to be led to the rendering of a favorable verdict by appeals to their sympathies for those other than the prisoner who may be affected by an adverse verdict. No one knows better than Mr. Donovan that no jury has any right to base its conclusions upon such considerations, and if he were presiding as a judge at a trial where such an appeal was made he would be bound to tell them so. This is no new doctrine among criminal lawyers. Many a guilty man has secured his acquittal by the shift with which his unscrupulous counsel has diverted the attention of the jury from the question of his guilt to that of "the consequences of their verdict" upon others. But when such methods are held up with approval before young and ardent and susceptible minds the fact should meet with instant condemnation from all lawyers and laymen alike, who desire to see courts of justice reformed, as indeed they have largely been in the last twenty-five years, from the stigma of such pernicious principles.

For the most part, however, the moral tone of this book is good, and particularly where it indicates definite habits of thought and work. The author has not always been fortunate in the particular lawyers whom he has selected as representatives of the highest order of advocacy. This is certainly true with regard to this city, when George M. CURTIS is picked out from the large number of eminent lawyers of New York for the distinction of a full-page portrait and an extended sketch of his life. Mr. CURTIS has good points as a lawyer, as many hundreds and perhaps thousands of his professional brethren in this city have; but when he is made to rank as an advocate, Mr. Carter, Senator Evarts, Mr. Parsons, Mr. Choate, and many others who might be named, the funny side of the situation must strike him as forcibly as it would any other well informed lawyer. But, despite these flaws, Mr. DONOVAN has made a very attractive little book for old practitioners, as well as young students, and some parts of it will well repay thorough study.

Mr. LAWSON is the author of several useful law-books, but the latest is the most ambitious work which he has yet undertaken. In fact, with the possible exception of Mr. WILFORD's "Actions and Defenses," no other law work of equal breadth and scope has appeared in recent years. To describe it as the author does on the title page, as "a treatise on American Law in Civil Cases," will not be apt. If the promise of the first two volumes, now before us, shall be sustained by the remaining five, in the preface, Mr. LAWSON frankly declares his purpose to supply to the lawyer who does not have ready access to a large law library all the material he may need in practice which he has been accustomed to seek from commentary, text-book and digest; in a word, to supply a complete law library for the American practitioner in civil courts, excepting the reports. Such a task as the author has set for himself must be no easy one, and his statement that the work will be the labor of many years will be readily believed. The only way to form an opinion as to the merits of such a work upon a brief examination is to apply the test of thoroughness to one or two particular subjects. We have attempted this method with the two first volumes, selecting for the examination those parts treating of "corporations" and "executors and administrators." While the author avoids any extended discussion of the questions that have arisen in the courts, he appears to have stated with more or less fulness the results of all the important adjudications of the courts of the most important States. If he gives most prominence to those of California and New-York, this is easily explained by the fact that the decisions of the New-York courts have the greatest authority throughout the Union from their importance and the high rank of our courts, while California is the state in which the author practices, which has adopted our codes, and which follows our procedure as well as the decisions of our courts of law and equity with great deference. But the important decisions of other States and the Federal courts are by no means overlooked. Some topics, such as, for instance, the dissolution of corporations and the rights and obligations of foreign executors, are treated somewhat more meagrely than the searcher for light upon some details of these questions might wish, but this appears to grow out of the absence of adjudications upon the matters omitted rather than from inaccuracy or carelessness. Upon most points, certainly upon many, the authorities appear to have been followed down to the year 1889.

If the remainder of the work is continued as faithfully and intelligently as these two volumes begin it, lawyers in all parts of the country will find it of great use and value.

BOOKS OF THE WEEK.

PERIOD. By Laura Dairness. 12mo, pp. 232. (Empire Publishing Co.) Price, \$1.00.

THE MOULDS OF THE WAGE-EARNERS. By W. H. STATION. 12mo, pp. 167. (By the Author.)

A STRANGE PEOPLE. By J. M. Batchelor. 12mo, pp. 172. (J. S. Cottier.)

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THE PERMANENT ELEMENTS OF RELIGION. By W. B. CRUMPTON. 12mo, pp. 423. (Macmillan & Co.)

THE ANATOMY OF THE FROG. By George Hadson. 12mo, pp. 160. (Chardon Press.)

POLITICAL ECONOMY. By Francis A. Walker. 12mo, pp. 323. (Henry Holt & Co.)

SPRING AND SUMMER. By William T. Washburn. 12mo, pp. 425. 65c. Putnam's Sons.

THE PATIENCE OF HOPE. AND OTHER SERMONS.

By Dr. John W. H. Elmer. 12mo, pp. 224. (Funk & Wagnalls.)

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PHYSIOLOGY OF BODILY EXERCISE. 12mo. 15c. (D. Appleton & Co.)

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THE DISCOVERY OF AMERICA. By Ebenezer H. HOWARD. Quarto, pp. 55. (Longmans, Green & Co.)

HIS HONOR. By Cynthia E. Cleveland. 12mo, pp. 257. (American News Co.)

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THE NEW-YORK LEDGER.

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